

E-filed on: 2/13/2009IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re: CORRINA CURIEL LONA,

Debtor.

CORRINA CURIEL LONA,

Appellant,

v.

JOSE ABREU dba INTERTEL  
COMMUNICATIONS,

Appellee.

No. C-08-03563 RMW

ORDER DISMISSING APPEAL

**[Re Docket Nos. 16, 17]**

On January 21, 2009, the court granted debtor Corrina Curiel Lona's motion for an extension of time to file her opening appellate brief. The court set a deadline of February 6, 2009. *See* Docket No. 16. In that order, the court cautioned: "A failure by Lona to file her appellate brief by February 6 will result in the court issuing an order to show cause why the appeal should not be dismissed for want of prosecution." *Id.* at 2 (emphasis in original).

Lona did not file a brief by February 6. On February 10, she filed a "withdrawal of appeal" "due to the burdens of representing oneself and the learning curve involved in doing so." The court

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1 interprets this document as a motion to voluntarily dismiss the appeal. *See* Bankr. Rule 8001(c)(2).  
2 As the appellee has already filed a motion to dismiss the appeal for lack of prosecution, the court  
3 grants Lona's motion to dismiss the appeal. The clerk shall close the file.

4  
5 DATED: 2/12/2009

*Ronald M Whyte*

6 RONALD M. WHYTE  
United States District Judge

1 **Notice of this document has been electronically sent to:**

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21 **Honorable Roger L. Efremsky**

22 Roger L. Efremsky  
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25

26 **Dated:** 2/13/2009

TSF  
Chambers of Judge Whyte

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